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10 Attorneys for Plaintiffs

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA

13 SHELLEY R. ROBINSON; and
14 ELIZAVETA M. HUNSINGER, by and
15 through her Conservator IVAN J.
16 HUNSINGER

Case No. C 07-03258 SC

JOINT CASE MANAGEMENT
STATEMENT

17 Plaintiffs,

18 v.

19 DAIMLERCHRYSLER AG;
20 DAIMLERCHRYSLER MOTORS
21 COMPANY LLC; DAIMLERCHRYSLER
22 CORPORATION; and DOES ONE through
23 FIFTY, inclusive,

24 Defendants.
25 _____ /
26

27 Plaintiffs SHELLEY R. ROBINSON and ELIZAVETA M. HUNSINGER, by and
28 through her Conservator IVAN J. HUNSINGER, and defendants CHRYSLER MOTORS LLC
29 (formerly DAIMLERCHRYSLER MOTORS COMPANY LLC), and CHRYSLER LLC
30 (formerly DAIMLERCHRYSLER CORPORATION), jointly submit this case management
31 statement as follows:

1 1. Jurisdiction and Service: Subject matter jurisdiction in this case is under 28 U.S.C.
2 §1332. All named defendants have been served. Plaintiffs do not anticipate serving any other
3 defendants.

4 Daimler AG (formerly "DaimlerChrysler AG") has moved to dismiss on the grounds of
5 lack of personal jurisdiction.

6
7 2. Facts: This lawsuit arises out of a single vehicle accident that occurred on May 25, 2005
8 on highway 93 in Twin Falls County, Idaho, when the 1998 Jeep Cherokee that Plaintiffs were
9 passengers in oversteered, yawed, and rolled over, causing severe and catastrophic injuries to
10 Plaintiffs, including quadriplegia to SHELLEY R. ROBINSON and quadriplegia and traumatic
11 brain injury to ELIZAVETA M. HUNSINGER.

12 At this time, without conducting discovery, defendants cannot state whether or not they
13 dispute this statement of the facts, and reserve the right to dispute them as investigation and
14 discovery continue.

15
16 3. Legal Issues: Plaintiffs claim that the defendants are liable under California law for
17 negligence, strict liability, and breach of warranty, and that the subject vehicle was defective in
18 its handling and stability, roof strength, and glazing.

19 Defendants deny liability for the subject incident and dispute each of plaintiffs' alleged
20 theories of liability.

21
22 4. Motions: Defendant Daimler AG (formerly "DaimlerChrysler AG") has filed a motion to
23 dismiss for lack of personal jurisdiction. Defendants reserve the right to file a summary
24 judgment motion.

5. Amendment of Pleadings: The parties do not anticipate any amendments to the pleadings.

6. Evidence Preservation: The parties understand their obligations to preserve evidence. Plaintiffs have secured the subject vehicle salvage and it is currently located at a secure facility.

7. Disclosures: The parties submitting this statement will comply with the Court's previous Order and make initial disclosures by November 9, 2007. Defendants will produce confidential documents after the entry by the Court of the pending proposed Stipulated Protective Order. Plaintiffs would like to address the subject of the protective order at the hearing.

8. Discovery: Pursuant to Rule 26(f), the parties met and conferred on discovery issues and propose the following discovery plan and proposed revisions to discovery limits set forth by the FRCP.

A. SCHEDULE

| <u>Plaintiffs' proposed discovery plan</u> | <u>completion date</u> |
|--|------------------------|
| Close of nonexpert discovery | August 29, 2008 |
| Expert disclosure by all parties | September 30, 2008 |
| Disclosure of rebuttal experts | October 30, 2008 |
| Close of expert discovery | February 13, 2009 |
| Last day to file dispositive motions | February 27, 2009 |
| Trial | May, 2009 |

| <u>Defendants' proposed discovery plan</u> | <u>completion date</u> |
|--|------------------------|
| Close of nonexpert discovery | July 31, 2008 |
| Expert disclosure by plaintiffs | August 29, 2008 |
| Expert disclosure by defendants | September 30, 2008 |
| Disclosure of rebuttal experts | October 17, 2008 |
| Close of expert discovery | January 16, 2009 |
| Last day to file dispositive motions | February 27, 2009 |
| Trial date | May, 2009 |

B. PROPOSED CHANGES IN FRCP 26(b) DISCOVERY

Given the complexity of Plaintiffs' allegations and causes of action in this multiple injury products liability matter, combined with the sheer volume of potential witnesses identified thus far, both Plaintiffs and Defendants propose to increase the limit of depositions for each side to twenty and the number of interrogatories for each side to fifty. Should the parties believe additional discovery is necessary beyond these limits, the parties will attempt to meet and confer first and reach a stipulation. Failing that, the party seeking additional discovery will seek Court relief.

Defendants also propose limits of 50 admission requests and 50 requests for production of documents. Plaintiffs propose no limits at this time, and do not waive their right to file a motion for protective order if necessary.

9. Class Actions: n/a

10. Related Cases: No related cases. The plaintiffs settled with the driver for the policy limits.

1 11. Relief: Plaintiffs are seeking monetary damages for their physical injuries, pain and
2 suffering, medical expenses, and loss of income. A full economic evaluation has not been
3 completed at this time.

4
5 12. Settlement and ADR: The parties submitted an ADR Stipulation on October 26, 2007,
6 agreeing to seek private mediation of the matter. The parties are not in agreement on the
7 deadline for the same.

8
9 13. Consent to Magistrate Judge for all Purposes: The parties do not consent to a magistrate
10 judge.

11
12 14. Other References: This case is not suitable for reference to binding arbitration, a special
13 master, or multidistrict litigation.

14
15 15. Narrowing of Issues: The parties have no suggestions at this time for narrowing issues.

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17 16. Expedited Schedule: This case is not suitable for being expedited.

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19 17. Scheduling: The proposed schedules are set forth above.

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21 18. Trial: The parties request a jury trial. Expected length is four to five weeks.

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23 19. Disclosure of Non-party Interested Entities or Persons: The parties are not aware of any
24 non-party interested entities or persons.

1 20. Other matters: None at this time.

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4 Dated: November 8, 2007

VAN BLOIS & ASSOCIATES

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7 R. Lewis Van Blois
8 Thomas C. Knowles
9 Darren J. Van Blois,
10 Attorneys for Plaintiffs

11 Dated: November __, 2007

SEDGWICK, DETERT, MORAN & ARNOLD

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Micki S. Singer
15 Dennis E. Raglin,
16 Attorneys for Defendants CHRYSLER MOTORS
17 LLC (formerly DAIMLERCHRYSLER MOTORS
18 COMPANY LLC), and CHRYSLER LLC (formerly
19 DAIMLERCHRYSLER CORPORATION)
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1 20. Other matters: None at this time.

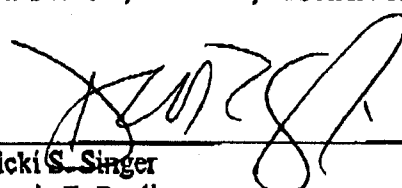
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